Information Commissioner of Canada
Commissaire à l'information du Canada

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APR 28 RECD

April 26, 1993

OUR FILE: 3100-4472/001
DEPT'S FILE: 92ATIP-2426

Mr. Rick Beaudoin
7 - 55 Wellington Street S.O.
Hamilton, Ontario
L8N 2P9

Dear Mr. Beaudoin:

I am writing to report the results of our investigation of your complaint under the Access to Information Act against the Royal Canadian Mounted Police (RCMP). You had sought access to a file on Lee Harvey Oswald. On January 5 and March 9, the RCMP wrote to you indicating that it had no such file.

On March 18, you complained about that response and provided copies of previous letters you received from RCMP officials in response to your attempts to obtain such material. You raised a number of points concerning the information you were provided.

Our investigation confirmed that the RCMP conducted both a manual and an electronic search of its records for a file on Lee Harvey Oswald. No such file was located. Although this may seem to be in conflict with previous responses you received, I am satisfied that the file which Inspectors Chiarot and Timko referred to in the past is one now in the National Archives. At the time, any correspondence concerning the assassination of former President Kennedy was placed on that file. Since Oswald was the main suspect in this incident, it is reasonable that your requests would have been interpreted as pertaining to that file. This assumption would explain the affirmative responses you were then provided.

The file mentioned by Sgt. Rioux as pertaining to co-operation with the FBI is also that same file. As we have had the opportunity to view this file in the past, I can confirm that it did in fact contain correspondence between the FBI and the RCMP.

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In your conversation with Sgt. Rioux you had raised the matter of file 79HQ-700-190 which appeared on previous RCMP correspondence. Our investigation confirmed that the subject of this file was: "Assistance provided by the RCMP". It contained any correspondence seeking RCMP assistance and it was not a "classified" file. For example, your requests for the file of Lee Harvey Oswald were placed on that file. We have confirmed that this file 79HQ-700-190 was destroyed in June of 1990.

While I understand your disappointment in not receiving the records you are seeking, I am satisfied that the RCMP made all reasonable efforts to locate any such records you seek and responded to you completely and honestly. Consequently, I consider your complaint not substantiated and I will inform the institution of my finding.

Having now received the report of my investigation, you have the right to apply to the Federal Court of Canada for a review of the Royal Canadian Mounted Police's response to your access request. Such an application should name the Solicitor General of Canada as respondent and it must be filed with the Court within 45 days of receiving this letter.

Yours sincerely,

Pat Dunn 12/93.

John W. Grace